## EXHIBIT 25

1		CASE 0:15-md-02666-JNE-DTS	Doc. 341	Filed	ON DENTEY - SUBJECT OF TOTES TIVE ORDER	3
		CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER 1	1	318	3MBH00016499 BH Training Manual - Cardiac	155
	1	UNITED STATES DISTRICT COURT	2		Section, 3MBH00014130 to 4141 email string, Van Duren to	162
	2	DISTRICT OF MINNESOTA	3		Scott/Nichols, 7/1/2010,	102
	3		.   4	320	3MBH00002899 to 2900 email string, Grey to	188
	4	In Re:	5	;	Scott/kmoewong, 4/29/2011, 3MBH00119208 to 9210	
	5	Bair Hugger Forced Air Warming		321	Customer Q&A: Filtration of the Bair Hugger warming unit,	196
	6	Products Liability Litigation	7	322	3MBH00119591 to 9592 emall string, Scott to Burville,	198
	7				11/21/2007, 3M00572025	
İ	8	This Document Relates To:	3		email string, Hansen to list, 10/2/2009, 3MBH00024683 to 4684	204
	9	All Actions MDL No. 15-2666 (JNE/FLM)	9	324	email string, Scott to Scott, 01/25/2013, 3MBH00122752	213
	10		.   10	325	email string, Mertens-Johnson to Scott, 07/11/2013, 3MBH00124812 to	224
	11		11	326	4815 email string, Scott to	232
	12	DEPOSITION OF MARK J. SCOTT	12		Mertens-Johnson, 08/08/2013, 3MBH00125255 to 5258	
	13	VOLUME I, PAGES 1 - 297	13	327	email, Scott to list, 8/7/2009,	236
	14	MARCH 2, 2017	14	328	3MBH00018260 email string, Scott to Munson,	238
	15		15	329	10/7/2015, 3MBH01937962 to 7963 email string, Hays to Stocks/Scott,	238
	16		16	330	11/11/2015, 3MBH01938509 to 8510 Letter to "Valued Customers" from	241
	17	(The following is the deposition of MARK J	47		Van Duren, November 1, 2006, 3MBH00013098	
	18	SCOTT, taken pursuant to Notice of Taking Deposition		331	email, Scott to Krones, 1/3/2011,	247
	19	via videotape, at the offices of Ciresi Conlin	18	332	3MBH00045522 PowerPoint slides, "Countering Hot	251
	20	L.L.P., 225 South 6th Street, Suite 4600, in the Cit			Dog, Customer Questions," 3MBH00013881 to 3886	
	21	of Minneapolis, State of Minnesota, commencing at	20	333	PowerPoint, Patient warming communication Plan, October 2015,	253
ĺ	22	approximately 9:00 a.m., March 2, 2017.}	21	l 334	3MBH01730811 to 0814 email string, Scott to Taylor,	279
	24		22	?	08/16/2013, 3MBH00125388 to 5391	
1	25	•	23	335 3	email string, Scott to McGuire/Litterst/Reckart,	283
	20		24		11/15/2015, 3MBH01938551 to 8552	
		STIREWALT & ASSOCIATES 1-800-553-1953 info@stirewalt.com	25	i .	STIREWALT & ASSOCIATES	
	COV	FIDENTIAL - SUBJECT TO PROTECTIVE ORDER			1-800-553-1953 info@stirewalt.com	
1	APPEARA	2		C	CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER	_
2	On Be	half of the Plaintiffs:			•	4
3	Gä	L! - 1 A d	4 .	•		
	Do	briel Assaad nald Green		l	PROCEEDINGS	
4	D o K E		09;00:15	? (Wi	itness sworn.)	
4 5	D 0 K E 4 4 S u	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200	09:00:15	2 (Wi	itness sworn.)  MARK J. SCOTT,	
4 5 6	D 0 K E 4 4 S u H 0	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006	09:00:15	2 (Wi 3	tness sworn.)  MARK J. SCOTT,  Called as a witness, being first	
	Do KE 44 Su Ho	nald Green NNEDY HODGES 09 Montrose Boulevard ite 200 uston, Texas 77006 half of the Defendants:	09:00:15 2 3 4	2 (Wi 3 4 5	tness sworn.)  MARK J. SCOTT,  Called as a witness, being first  duly sworn, was examined and	
6	On Be Bri	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: dget M. Ahmann EGRE BAKER DANIELS	09:00:15 2 2 4	2 (Wi 3 4 5	tness sworn.)  MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:	
6 7	Do KE 44 Su Ho On Be Bri FA 22 90	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: dget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street	09:00:15	2 (WI 3 4 5	thess sworn.)  MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION	
6 7 8	Do KE 44 Su Ho On Be Bri FA 22 90 Mil	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: Idget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street	09:00:15	2 (WI 3 4 5 6 7 8 BY MR.	thess sworn.)  MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION . ASSAAD:	
6 7 8 9	DO KE 44 Su Ho On Be FA 290 Mi	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: dget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street	09:00:15 2 2 4 5 6 7 09:00:29 8 09:00:30 \$	2 (WI 3 4 5 6 7 8 BYMR.	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.	
6 7 8 9 10	On Be Bri FA 22 90 Mi Ma BL	nald Green NNEDY HODGES 09 Montrose Boulevard ite 200 uston, Texas 77006 half of the Defendants: dget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street nneapolls, Minnesota 55402-3901 ry S. Young	09:00:15 2 2 4 5 6 7 09:00:29 8 09:00:30 9	2 (WI 3 4 5 6 7 8 BY MR. 9 Q	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.	
6 7 8 9 10 11	Do KE 44 Su Ho On Be FA 22 90 Mi Ma BL 43 Su	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: Idget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street nneapolls, Minnesota 55402-3901 ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street	09:00:15 2 3 4 4 5 5 6 6 6 7 7 6 7 7 7 7 7 7 7 7 7 7 7 7	2 (WI 3	thess sworn.)  MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.  And you're a current employee of 3M?	
6 7 8 9 10 11 12	On Be Bri FA 22 90 Mi Ma BL 43 Su Mi	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: Idget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street nneapolls, Minnesota 55402-3901 ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street Ite 2500 nneapolls, Minnesota 55415	09:00:15 2 3 4 4 5 5 6 6 7 7 9:00:29 8 9:00:30 5 9:00:31 10 9:00:34 14 9:00:36 12	2 (WI 3 4 5 6 7 8 BY MR. 9 Q. 1 Q. 2 A.	thess sworn.)  MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.  And you're a current employee of 3M?	
6 7 8 9 10 11 12 13	On Be Bri FA 22 90 Mi Ma BL 43 SU ALSO PRE	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: dget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street nneapolls, Minnesota 55402-3901 ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street ite 2500 nneapolls, Minnesota 55415	09:00:15 2 3 4 4 5 5 6 6 6 7 7 6 7 7 7 7 7 7 7 7 7 7 7 7	2 (WI 3 4 5 5 6 7 7 9 Q. 4 Q. 5 Q. 6 Q. 6 Q. 7 Q. 7 Q. 8 Q.	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.  And you're a current employee of 3M?  I am.  And what is your current business add	ress?
6 7 8 9 10 11 12 13 14	On Be Bri FA 22 90 Mi Ma BL 43 SU ALSO PRE	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: Idget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street nneapolls, Minnesota 55402-3901 ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street Ite 2500 nneapolls, Minnesota 55415	09:00:15 2 3 4 4 5 5 6 6 7 7 6 7 7 7 7 7 7 7 7 7 7 7 7 7	2 (WI 3 4 5 6 6 7 9 Q 4 A A A	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows: EXAMINATION  ASSAAD: Please state your name. Mark Scott. And you're a current employee of 3M? I am. And what is your current business add I'm sorry. We refer to it as 4E, which	ress?
6 7 8 9 10 11 12 13	On Be Bri FA 22 90 Mi Ma BL 43 SU ALSO PRE	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: dget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street nneapolls, Minnesota 55402-3901 ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street ite 2500 nneapolls, Minnesota 55415	09:00:15 2 3 4 4 5 5 6 6 7 7 9:00:30 \$ 9:00:31 10 9:00:34 12 9:00:36 12 9:00:36 13	2 (WI 3 4 5 6 7 8 BY MR. 9 Q. 1 Q. 2 A. 2 A. 3 Q. 4 A.	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.  And you're a current employee of 3M?  I am.  And what is your current business add  I'm sorry. We refer to it as 4E, which	ress?
6 7 8 9 10 11 12 13 14	On Be Bri FA 22 90 Mi Ma BL 43 Su Mi ALSO PRE Ryan	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: Idget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street nneapolls, Minnesota 55402-3901 ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street Ite 2500 nneapolls, Minnesota 55415  SENT: M. Stirewalt, Videographer  EXAMINATION INDEX EXAMINED BY PAGE	09:00:15 2 3 4 5 6 7 7 09:00:29 8 09:00:31 10 09:00:34 11 09:00:36 12 09:00:36 13 09:00:42 14	2 (WI 3 4 5 6 7 8 BY MR. 9 Q. 1 Q. 2 A. 3 Q. 4 A. 5 our fou	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.  And you're a current employee of 3M?  I am.  And what is your current business add.  I'm sorry. We refer to it as 4E, which with floor of Building 275 in Maplewood, sota.	ress?
6 7 8 9 10 11 12 13 14 15	On Be Bri FA 22 90 Mi Ma BL 43 SU MI ALSO PRE	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: Idget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street nneapolls, Minnesota 55402-3901 ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street Ite 2500 nneapolls, Minnesota 55415 ESENT: M. Stirewalt, Videographer  EXAMINATION INDEX EXAMINED BY PAGE cott Mr. Assaad 4	09:00:15 2 3 4 4 6 7 09:00:29 8 09:00:30 \$ 09:00:31 10 09:00:36 12 09:00:36 13 09:00:42 14 09:00:45 18	2 (WI 3 4 5 6 7 8 BY MR. 9 Q. 1 Q. 2 A. 2 A. 5 our fou	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.  And you're a current employee of 3M?  I am.  And what is your current business add  I'm sorry. We refer to it as 4E, which inth floor of Building 275 in Maplewood, sota.	ress? is
6 7 8 9 10 11 12 13 14 15 16	DOKE 444 Su Ho On Be Bri FA 22 90 Mi Ma BL 433 SU MI ALSO PRE Ryan WITNESS Mark J. S	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: dget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street aneapolls, Minnesota 55402-3901 ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street ite 2500 aneapolls, Minnesota 55415  SENT: M. Stirewalt, Videographer  EXAMINATION INDEX EXAMINED BY PAGE outh Mr. Assaad 4  EXHIBIT INDEX DESCRIPTION PAGE	09:00:15 2 3 4 4 6 7 7 99:00:29 8 99:00:30 \$ 99:00:31 10 99:00:36 12 99:00:42 14 99:00:45 15 99:00:48 16 99:00:50 17	2 (WI 3 4 5 6 7 8 BY MR. 9 Q 1 Q 2 A. 1 Q 4 A. 5 our fou 6 Minnes 7 Q 8 A.	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.  And you're a current employee of 3M?  I am.  And what is your current business add  I'm sorry. We refer to it as 4E, which arth floor of Building 275 in Maplewood, tota.  Any street address?  I think it's 2100 Conway Avenue North	ress? is
6 7 8 9 10 11 12 13 14 15 16 17	On Be Bri FA 22 90 Mi Ma BL 43 Su MI ALSO PRE Ryan WITNESS Mark J. S	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: Idget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street nneapolls, Minnesota 55402-3901 ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street Ite 2500 nneapolls, Minnesota 55415  ESENT: M. Stirewalt, Videographer  EXAMINATION INDEX EXAMINED BY PAGE COTTON PAGE RESUME, Mark J. Scott, 3 pgs. 27 Defendant 3M Company's Responses 86	09:00:15 2 3 4 5 6 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	2 (WI 3 4 5 6 7 8 BY MR. 9 Q. 1 Q. 2 A. 3 Q. 4 A. 5 our four 6 Minnes 7 Q. 8 Q.	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.  And you're a current employee of 3M?  I am.  And what is your current business add  I'm sorry. We refer to it as 4E, which with floor of Building 275 in Maplewood, sota.  Any street address?  I think it's 2100 Conway Avenue North You say Building 4E?	ress? is
6 7 8 9 10 11 12 13 14 15 16 17 18	On Be Bri FA 22 90 Mi Ma BL 43 SU MI ALSO PRE Ryan WITNESS Mark J. S	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: Idget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street nneapolls, Minnesota 55402-3901  ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street Ite 2500 nneapolls, Minnesota 55415  SENT: M. Stirewalt, Videographer  EXAMINATION INDEX EXAMINED BY PAGE cott Mr. Assaad 4  EXHIBIT INDEX DESCRIPTION PAGE Resume, Mark J. Scott, 3 pgs. 27	09:00:15 2 3 4 5 6 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	2 (Will 3	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.  And you're a current employee of 3M?  I am.  And what is your current business add  I'm sorry. We refer to it as 4E, which eith floor of Building 275 in Maplewood, sota.  Any street address?  I think it's 2100 Conway Avenue North You say Building 4E?  Building 275, 4E.	ress? is
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	On Be Bri FA 22 90 Mi Ma BL 43 Su MI ALSO PRE Ryan WITNESS Mark J. S EXHIBIT 312 313	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: Idget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street nneapolls, Minnesota 55402-3901 ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street Ite 2500 nneapolls, Minnesota 55415 ISSENT: M. Stirewalt, Videographer  EXAMINATION INDEX EXAMINED BY PAGE COTTON PAGE RESUME, Mark J. Scott, 3 pgs. 27 Defendant 3M Company's Responses and Objections to Plaintiff Timothy Johnson's Interrogatories, Aug. 25, 2014,24 pgs.	09:00:15 2 3 4 5 6 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	2 (WI 3 4 5 6 7 8 BY MR. 9 Q 1 Q 2 A. 1 Q 3 Q 4 A. 5 our four 6 Minnes 7 Q 3 A. 9 Q 1 Q	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.  And you're a current employee of 3M?  I am.  And what is your current business add I'm sorry. We refer to it as 4E, which with floor of Building 275 in Maplewood, sota.  Any street address?  I think it's 2100 Conway Avenue North You say Building 4E?  Building 275, 4E.  And what's "4E"?	ress? is
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	On Be Brif FA 22 90 Mi Ma BJ 43 Su MI ALSO PRE Ryan WITNESS Mark J. S  EXHIBIT 312 313	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants:  dget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street nneapolls, Minnesota 55402-3901  ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street ite 2500 nneapolls, Minnesota 55415  SENT: M. Stirewalt, Videographer  EXAMINATION INDEX EXAMINED BY PAGE out Mr. Assaad 4  EXHIBIT INDEX DESCRIPTION PAGE Resume, Mark J. Scott, 3 pgs. 27 Defendant 3M Company's Responses and Objections to Plaintiff Timothy Johnson's Interrogatories, Aug. 25, 2014,24 pgs. email string, Baker to Scot, 08/06/2013, 3MBH00125124 to 5136	09:00:15 2 3 4 5 6 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	2 (WI 3 4 5 6 6 7 8 BY MR. 9 Q 1 Q 2 A. 1 Q 4 A. 5 our fou 6 Minnes 7 Q 8 A. 9 Q 1 Q 1 Q 2 A.	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.  And you're a current employee of 3M?  I am.  And what is your current business add  I'm sorry. We refer to it as 4E, which arth floor of Building 275 in Maplewood, sota.  Any street address?  I think it's 2100 Conway Avenue North You say Building 4E?  Building 275, 4E.  And what's "4E"?  It's the fourth floor in the east side.	ress? Is
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	DOKE 44 Su Ho On Be Bri FA 22 90 Mi Ma BL 43 Su MI ALSO PRE Ryan WITNESS Mark J. S EXHIBIT 312 313	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: Idget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street Inneapolls, Minnesota 55402-3901 ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street Ite 2500 Inneapolls, Minnesota 55415  ESENT: M. Stirewalt, Videographer  EXAMINATION INDEX EXAMINED BY PAGE ONTO ASSAULT OF	09:00:15 2 3 3 4 4 5 6 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	2 (WI 3	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.  And you're a current employee of 3M?  I am.  And what is your current business add  I'm sorry. We refer to it as 4E, which arth floor of Building 275 in Maplewood, sota.  Any street address?  I think it's 2100 Conway Avenue North You say Building 4E?  Building 275, 4E.  And what's "4E"?  It's the fourth floor in the east side.	ress? Is
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	On Be Brif FA 22 90 Mi Ma BL 43 SU MI ALSO PRE Ryan WITNESS Mark J. S EXHIBIT 312 313	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: Idget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street nneapolls, Minnesota 55402-3901 ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street Ite 2500 nneapolls, Minnesota 55415 ISENT: M. Stirewalt, Videographer  EXAMINATION INDEX EXAMINED BY PAGE cott Mr. Assaad 4  EXHIBIT INDEX DESCRIPTION PAGE Resume, Mark J. Scott, 3 pgs. 27 Defendant 3M Company's Responses 86 and Objections to Plaintiff Timothy Johnson's Interrogatories, Aug. 25, 2014,24 pgs. email string, Baker to Scot, 08/06/2013, 3MBH00125124 to 5136 email string, Scott to Priestley, 02/24/2012, 3MBH00120267 to 0269 email, Scott to Deutsch, 5/24/2011, 142 3MBH00118525	09:00:15 2 3 3 4 5 6 6 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	2 (Will a second control of the cont	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.  And you're a current employee of 3M?  I am.  And what is your current business add  I'm sorry. We refer to it as 4E, which  with floor of Building 275 in Maplewood,  sota.  Any street address?  I think it's 2100 Conway Avenue North  You say Building 4E?  Building 275, 4E.  And what's "4E"?  It's the fourth floor in the east side.  Is that a certain division, the 4E, is it a division? Is it Station 4E?	ress? Is
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	DOKE 44 Su Ho On Be Bri FA 22 90 Mi Ma BL 43 Su MI ALSO PRE Ryan WITNESS Mark J. S EXHIBIT 312 313	nald Green NNEDY HODGES 09 Montrose Boulevard lte 200 uston, Texas 77006 half of the Defendants: dget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street nneapolls, Minnesota 55402-3901 ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street lte 2500 nneapolls, Minnesota 55415  SENT: M. Stirewalt, Videographer  EXAMINATION INDEX EXAMINED BY PAGE cott Mr. Assaad 4  EXHIBIT INDEX DESCRIPTION PAGE Resume, Mark J. Scott, 3 pgs. 27 Defendant 3M Company's Responses and Objections to Plaintliff Timothy Johnson's Interrogatories, Aug. 25, 2014,24 pgs. email string, Baker to Scot, 08/06/2013, 3MBH00125124 to 5136 email string, Scott to Priestley, 02/24/2012, 3MBH00120267 to 0269 email, Scott to Deutsch, 5/24/2011, 142	09:00:15	2 (Will a second control of the cont	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.  And you're a current employee of 3M?  I am.  And what is your current business add  I'm sorry. We refer to it as 4E, which  with floor of Building 275 in Maplewood,  sota.  Any street address?  I think it's 2100 Conway Avenue North  You say Building 4E?  Building 275, 4E.  And what's "4E"?  It's the fourth floor in the east side.  Is that a certain division, the 4E, is it a division? Is it Station 4E?	ress? Is
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	On Be Bri FA 22 90 Mi Ma BL 43 Su MI ALSO PRE Ryan WITNESS Mark J. S EXHIBIT 313 314 315 316 317	nald Green NNEDY HODGES 09 Montrose Boulevard Ite 200 uston, Texas 77006 half of the Defendants: Idget M. Ahmann EGRE BAKER DANIELS 00 Wells Fargo Center South Seventh Street nneapolls, Minnesota 55402-3901 ry S. Young ACKWELL BURKE P.A. 1 South Seventh Street Ite 2500 nneapolls, Minnesota 55415 ISENT: M. Stirewalt, Videographer  EXAMINATION INDEX EXAMINED BY PAGE cott Mr. Assaad 4  EXHIBIT INDEX DESCRIPTION PAGE Resume, Mark J. Scott, 3 pgs. 27 Defendant 3M Company's Responses 86 and Objections to Plaintiff Timothy Johnson's Interrogatories, Aug. 25, 2014,24 pgs. email string, Baker to Scot, 08/06/2013, 3MBH00125124 to 5136 email string, Scott to Priestley, 02/24/2012, 3MBH00120267 to 0269 email, Scott to Deutsch, 5/24/2011, 142 3MBH00118525	09:00:15	2 (Will a second control of the cont	MARK J. SCOTT,  Called as a witness, being first duly sworn, was examined and testified as follows:  EXAMINATION  ASSAAD:  Please state your name.  Mark Scott.  And you're a current employee of 3M?  I am.  And what is your current business add I'm sorry. We refer to it as 4E, which with floor of Building 275 in Maplewood, sota.  Any street address?  I think it's 2100 Conway Avenue North You say Building 4E?  Building 275, 4E.  And what's "4E"?  It's the fourth floor in the east side.  Is that a certain division, the 4E, is it is division? Is it Station 4E?	ress? Is

	CONFIDENTIAL -SUBJECT 40 PROJECTIVE ORDER	c. 341 *	FILEO CONFIDENTIAL POUBLE OF TO PROTECTIVE ORDER
	205		207
15:06:56 1	Yeah. It's an email from Gary, myself and	15:09:11 1	A. I'd have to look back at the studies.
15:07:02 2	Hamid, and Dominique.	15:09:13 2	Q. Well where could I find them, because I have
15:07:11 3	Q. In the middle is an email from you that	15:09:16 3	not found any independent studies on filtration back
15:07:13 4	states: "Sorry also for the delay. Our filter	15:09:18 4	in 2009.
15:07:16 5	description is a 'high efficiency, 0.2 micron filter'.	15:09:19 5	A. I may have misspoke.
15:07:23 6	It does not carry the HEPA designation. This is	15:09:21 6	Q. In this email?
15:07:25 7	principally due to the added cost."	15:09:22 7	<b>A.</b> 2009, yeah. And I see 2009, yeah.
15;07:28	Did I read that correctly?	15:09:39 8	Q. And you say the "filtration is very
15:07:30 9	A. You have.	15:09:40 9	effective." Very effective for what purpose?
15:07:31 10	Q. So isn't the real reason why you don't use	15:09:44 10	A. Protecting the warming unit, I imagine.
15:07:32 11	the HEPA filter is because of the added cost?	15:09:47 11	Q. Not to prevent contaminants to get into the
15:07:37 12	A. I princi	15:09:51 12	warming unit; correct? Like bi Like bacteria to
15:07:37 13	One of the reasons why we've elected to use	15:09:53 13	get into the warming unit.
15:07:40 14	the filter we do is because of its cost structure.	15:09:56 14	MS. AHMANN: Object to the form.
15:07:44 15	Q. Well when I	15:09:58 15	A. Like gauze, other material a .2 micron
15:07:44 16	A. HEPA filters tend to cost more, and that	15:10:05 16	filter can capture.
15:07:47 17	would be a cost the customer would have to incur.	15:10:07 17	Q. You agree that the .2 micron filter is not
15:07:50 18	Q. How would the The cost	15:10:09 18	going to capture bacteria going through it; correct?
15:07:50 10	The customer doesn't pay for the warming	15:10:13 19	<b>A.</b> I'm not sure what a .2 micron filter would
15:07:54 20	<b>A.</b> They pay for the filters to replace, over	15:10:17 20	capture as it relates to bacteria size.
15:07:54 20	time.	15:10:21 21	Q. Well you say it's "very effective." What do
15:07:59 21	Q. So now there's two reasons that you do not	15:10:23 22	you mean by "very effective" if you don't know what
15:07:59 22	use a HEPA filter. One is because the filter's just	15:10:25 23	it's going to catch?
15:08:02 23	to protect the internal components', and two, there's	15:10:26 24	<b>A.</b> It's a very general statement, but yes.
15:08:06 24	an added cost to use the HEPA filter.	15:10:26 24	Q. What do you mean it's a general statement?
15:08:09 23	STIREWALT & ASSOCIATES	15:10:29 23	STIREWALT & ASSOCIATES
	1-800-553-1953 info@stirewalt.com		1-800-553-1953 info@stirewalt.com
	CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER	· · · · · · · · · · · · · · · · · · ·	CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER
	206		208
15:08:10	MS. AHMANN: Object, form.	15:10:30 1	You say it's "very effective." What's general about
15:08:12 2	<b>A.</b> Among the reasons, yes.	15:10:30 2	that statement?
15:08:13 3	Q. Well what other reasons are there?	15:10:34 3	A. That it's very effective. I guess
15:08:16 4	A. I'm not going to speak to that. The filter	15:10:41 4	Q. Well can we say that the Bair Hugger's
15:08:18 5	is specified by our engineering department.	15:10:43 5	warming is very effective is a general statement?
15:08:21 6	Q. Yeah, but you're the one that says "this is	15:10:46 6	A. When you
15:08:23 7	principally due to the added cost." Who told you		When we put it in that context it is they
15:08:25	that?	15:10:47 /	are general statements, yeah.
15:08:27	A. We had looked at the cost of just for	15:10:51 9	Q. So So even though you have independent
15:08:31 10	benchmarking purposes, to understand what a HEPA	15:10:53 10	studies that have found that our current level of
15:08:35 11	filter costs because our competition was offering	15:10:56 11	filtration is very effective, you're that's the
15:08:37 12	that, to see if there was some information we can	15:10:58 12	same type of statement that says the Bair Hugger
15:08:40 13	glean from that. That's where this came from.	15:11:00 13	there's general studies that say the Bair Hugger's
15:08:44 14	<b>Q.</b> Then you go on. "We have studied this, as	15:11:02 14	very effective. It's just a general statement.
15:08:46 15	well as others in independent studies that have found	15:11:04 15	A. General statement.
15:08:49 16	that our current level of filtration is very	15:11:04 16	Q. Okay.
15:08:49 10	effective."	15:11:04 17	MS. AHMANN: Object to the form.
1	0.1.00.1.01	15:11:06 18	A. The
15:09:52 18	Did I read that correctly?	1 15:11:08	
15:08:52 18	Did I read that correctly?  A You have		I think Gary clarifies that we've got a long
15:08:53 19	A. You have.	15:11:07 19	I think Gary clarifies that we've got a long experience with clinical research and what-have-you.
15:08:53 <b>19</b> 15:08:53 <b>20</b>	<ul><li>A. You have.</li><li>Q. What studies are you referring to?</li></ul>	15:11:07 <b>19</b> 15:11:10 <b>20</b>	experience with clinical research and what-have-you,
15:08:53 19 15:08:53 20 15:08:57 21	<ul><li>A. You have.</li><li>Q. What studies are you referring to?</li><li>A. At the time of this, the Zink study.</li></ul>	15:11:07 19 15:11:10 20 15:11:13 21	experience with clinical research and what-have-you, but that's said.
15:08:53 19 15:08:53 20 15:08:57 21 15:09:00 22	<ul><li>A. You have.</li><li>Q. What studies are you referring to?</li><li>A. At the time of this, the Zink study.</li><li>Q. The Zink study didn't study the filter.</li></ul>	15:11:07 19 15:11:10 20 15:11:13 21 15:11:15 22	experience with clinical research and what-have-you, but that's said.  Q. I mean you'll agree with me that your
15:08:53 19 15:08:53 20 15:08:57 21 15:09:00 22 15:09:04 23	<ul> <li>A. You have.</li> <li>Q. What studies are you referring to?</li> <li>A. At the time of this, the Zink study.</li> <li>Q. The Zink study didn't study the filter.</li> <li>A. I'd have to look back at the documents, but</li> </ul>	15:11:07 19 15:11:10 20 15:11:13 21 15:11:15 22 15:11:16 23	experience with clinical research and what-have-you, but that's said.  Q. I mean you'll agree with me that youryour patient warming competitor, Stryker, has a
15:08:53 19 15:08:53 20 15:08:57 21 15:09:00 22 15:09:04 23 15:09:08 24	<ul> <li>A. You have.</li> <li>Q. What studies are you referring to?</li> <li>A. At the time of this, the Zink study.</li> <li>Q. The Zink study didn't study the filter.</li> <li>A. I'd have to look back at the documents, but</li> <li>or the studies themselves.</li> </ul>	15:11:07 19 15:11:10 20 15:11:13 21 15:11:15 22 15:11:16 23 15:11:21 24	experience with clinical research and what-have-you, but that's said.  Q. I mean you'll agree with me that youryour patient warming competitor, Stryker, has a product in which they advertise a HEPA filter and
15:08:53 19 15:08:53 20 15:08:57 21 15:09:00 22 15:09:04 23	<ul> <li>A. You have.</li> <li>Q. What studies are you referring to?</li> <li>A. At the time of this, the Zink study.</li> <li>Q. The Zink study didn't study the filter.</li> <li>A. I'd have to look back at the documents, but</li> <li>or the studies themselves.</li> <li>Q. What independent studies?</li> </ul>	15:11:07 19 15:11:10 20 15:11:13 21 15:11:15 22 15:11:16 23	experience with clinical research and what-have-you, but that's said.  Q. I mean you'll agree with me that your your patient warming competitor, Stryker, has a product in which they advertise a HEPA filter and saying that it's better than 3M because it has a HEPA
15:08:53 19 15:08:53 20 15:08:57 21 15:09:00 22 15:09:04 23 15:09:08 24	<ul> <li>A. You have.</li> <li>Q. What studies are you referring to?</li> <li>A. At the time of this, the Zink study.</li> <li>Q. The Zink study didn't study the filter.</li> <li>A. I'd have to look back at the documents, but</li> <li>or the studies themselves.</li> </ul>	15:11:07 19 15:11:10 20 15:11:13 21 15:11:15 22 15:11:16 23 15:11:21 24	experience with clinical research and what-have-you, but that's said.  Q. I mean you'll agree with me that youryour patient warming competitor, Stryker, has a product in which they advertise a HEPA filter and